

CHARLOTTE JOURNAL.

VOL. VI.]

Charlotte, (N. C.) May 27, 1836.

NO. 295.

R. H. MADRA, Editor.
T. J. HOLTON, Proprietor and Publisher.

TERMS:

TWO DOLLARS, if paid in advance.
Two Dollars and Fifty Cents, if not paid within three months.
Three Dollars, if not paid until the end of the year.
Advertisements inserted at the usual rates.

Agent.—Major R. M. Cochran is appointed an Agent for the Journal, and is authorized to receive money and give receipts in my name. T. J. H.

WEEKLY ALMANAC.

MAY, 1836.	Sun (Sun)	MOON'S PHASES.
1st Friday, 4 54 7 6	For May, 1836,	
2nd Saturday, 4 54 7 6	D. H. M.	
3rd Sunday, 4 53 7 7	Full 1 2 40 morn.	
4th Monday, 4 52 7 8	Last 7 6 8 eve'n.	
5th Tuesday, 4 52 7 9	New 15 8 42 morn.	
6th Wednesday, 4 51 7 9	First 23 12 15 a'n.	
7th Thursday, 4 51 7 9		

His Excellency Gov. Spaight, who assumed to himself dispensing power, (which produced the revolution in Great Britain and ended in the expulsion of such arrogant claimants of Power,) claims to be an exclusive Republican. This power, in the reign of Charles II. consisted in the claim of right to execute such laws as he thought proper, and to dispense with such as he thought militated against his interest. The Constitution of the United States requires Governor Spaight to issue a Writ of Election whenever a vacancy shall occur in the representation of the State in Congress. No time is specified within which such duty is to be performed; therefore, according to a sound legal maxim, he should issue the writ "within a reasonable time." He has no right to decide whether the measure will be productive of benefit to the district or not; this is not left to him, because if it were, he might choose to say, unless the vacancy was likely to be filled with a person of a particular kind of political sentiments, it had better not be filled at all; no doubt Governor Spaight would say, it is better for the Mountain District to have no member, than to be represented by a Whig; but Governor Spaight has in effect already said this—he has refused to obey a peremptory unconditional mandate of the highest law of the land, the United States Constitution, and in so doing, he has manifestly trampled on the rights of a portion of the people. He a Republican!

Mr. Dudley has been taken to task by the Administration presses for having voted for a change in the Electoral Law in 1811. When it is remembered that the direct aim and avowed object of destroying the District System, was to give the whole electoral vote of the State to the Republican Candidate, Mr. Madison, (which would otherwise have been divided and a part of given to the Federal Candidate) it is a little singular that such an objection should come from a party that professes to be the true Democratic Republicans of the Old School. We remember, a few years ago, that in an obituary notice of the late Mr. Joseph Wilson, known to have come from the pen of the Honorable Romulus Saunders, the leader of the Van Buren party in this State, and godfather to the immaculate Puritan, great credit is attributed to the deceased for his manly and straight-forward course in avowing the object of altering the electoral law to be, to secure the ascendancy of the Republican Party: We are old enough to remember that the measure was hailed as a glorious achievement in the Republican Legislature, and met the hearty concurrence of the party throughout the State: But now things have changed! What in olden time was glorious Republicanism is now treason to the people.—Car. Watchman.

Gen. Dudley.—A gentleman who has had every possible opportunity of forming a correct opinion, informs us that there is no doubt of Gen. Dudley's beating his opponent in the Western Counties, by a majority of fifteen or twenty thousand votes. The East, we think, will not learn his majority much, if at all; and if proper exertions be made in Craven—Gov. Spaight's native County—the vote will be so close that there will be no fun in it.—Northern Spectator.

The Spectator has been correctly informed. Gen. Dudley will receive as large a majority in the Western part of the State, as was ever given to Gen. Jackson. Gov. Spaight is hardly known, even as a politician, to the body of the People in this part of the State, much less will he be voted for by them for Governor. And what service, we would ask, either civil or military, has Gov. Spaight ever rendered the State, or what evidences are there of his talents and qualifications for public life, that should recommend him to the support and confidence of the People? His name is connected with no measure of any importance to the State or country; and until he was elected by a Party Legislature to the office of Governor, his fame as a Statesman, or his rank as a man of talents, extended not farther than the limits of his own County. But if it be any recommendation to say that Gov. S. has ever been a most unscrupulous political partizan, that he belongs to the spoils party, to the enemies of the South, and that he has been set up as the type of Mr. Van Bu-

ren in this State, and has staked his all upon the success of the party, all who know him can readily say this for him.

If the Spectator is correct in its estimates of the vote in the East, as we have every reason to believe it is, the contest will be easily won, and the stain of man worship wiped from our escutcheon.—West. Car.

The Fayetteville Observer alludes to a rumor, that Gen. Jackson intends to spend a part of the ensuing summer in Buncombe county. This same rumor is current at Raleigh, but, with the Observer, we cannot believe that so gross an attempt would be made to influence the vote of that District.—Raleigh Register.

We propose, if General Jackson does descend from his high estate to pluck and truckle in a Congressional election, that the Whigs shall take effectual measures to counteract the influence. And we know of no mode more fit and proper, than to send for Black Hawk, and show him as a set off. If he cannot be had, we propose that a travelling menagerie shall be hired by subscription, and shall show the Wild Beasts gratis, till the Election. The one mode of electioneering would be about as credible as the other, and if we have not much mis-conceived the stuff of which the mountaineers are made, it would be equally successful; that is, neither man shows nor beast shows would have any effect.—Watchman.

Facts worth Remembering.—Martin Van Buren was once a candidate for Governor of New York, and succeeded by a minority vote, there being about 3500 majority votes against him. In 1832 he was a candidate for the Vice Presidency, and with all the aid of Gen. Jackson's popularity he did not receive a majority of the votes of the people for that office. The votes of the freemen of this Republic stood at the election as follows:

For Clay and Sergeant, . . .	328,561
" Wirt and Ellmaker, . . .	254,750
" Jackson and Wilkins, . . .	99,983
" Jackson and Barbour, . . .	12,722
	657,016
" Jackson and Van Buren . . .	603,512

Majority against Van Buren . . . 54,504
It will be remembered that Mr. Van Buren was then, as now, the Caucus candidate, and yet he could not command a majority of the votes of the people, not even with Gen. Jackson's aid. Then Tennessee, Alabama, North Carolina, Illinois, and Missouri, *vote for White*, voted for Van Buren electors, who were chosen by large majorities.

The desire of the Van Buren party to defeat the Land Bill, is so great, that they have been endeavoring to devise means to squander as much of the Surplus Revenue as possible. It was for this purpose that Humbug Benton introduced resolutions calling upon the War and Navy Departments to inform the Senate how much money they could spend on the public works! Hereafter, the enquiry of the Departments has been, how little can you do with? Now, it is, how much can you spend? And all to prevent the people from deriving benefit from their own money, because the plan did not originate with himself or his party. We verily believe that he would sooner sink the money to the bottom of the sea than let the States have it.—Fay. Observer.

The Globe affirms that General Jackson and Mr. Van Buren are the two "most abused" men in the country. The assertion may be contradicted for the plain and simple reason that neither of them have ever been abused by the Globe. In the faculty of vilification the pre-eminence of the official is universally conceded. If not unmitigated, it is perfectly inimitable, in this respect. Let its columns be examined by any one who is fond of wading through mire, from the very commencement of its existence, and he will not be surprised at the superiority it has thus attained in "the black-art," as he will find confirmation strong that this has been the main object of its devotion—that the exercise of it has been its real and congenial vocation.—Nat. Gas.

The Van Burenites in this State, in endeavoring to justify their opposition to the Land Bill, pretended that the ground of their opposition was, that it gave the New States, in which the Land lies, 12½ per cent. more of the proceeds than the old States. How does this pretence tally with the late attempt of Benton & Co. to give the New States 500,000 acres each, whilst they violently oppose every bill to give the smallest particle to the old States? The truth is, the party are determined to use this land to perpetuate their power, by holding it out as a bribe to the new States. This is the secret of the opposition to the Land Bill. And so long as the old States remain chained to the car of Van Buren, and stand ready to ratify all his edicts, they will never obtain their rights.

When St. Paul bids us pray without ceasing, he means that our words and actions should always be conformable to reason and religion. Constant virtue is ceaseless prayer.

SYNOPSIS

Congressional Proceedings.

Saturday, May 7, 1836.

HOUSE.—The House took up the Bill making appropriations for the Civil and Diplomatic Expenses of the United States for the year 1836, which had been returned from the Senate with divers amendments. All the amendments were discussed, and agreed to or disagreed to, and the Bill sent back to the Senate.

The House then went into Com. of the Whole, upon the Bill making an appropriation of one million of dollars for the protection of the Western frontier.

Mr. Cambreleng sent to the Clerk some communications from the War Department, embracing all the information in possession of the Department on the subject, which were read.

Mr. C. also communicated, from the Secretary of State, an account of a conversation between Mr. Forsyth and the Mexican Minister, on the subject of orders given to General Gaines; which was also read.

[A debate then took place upon this Bill, of which the National Intelligencer of the 9th, has the following notice:

"The United States and Mexico.—A debate of great interest sprung up in the House of Representatives on Saturday last; of which a brief outline will be found in our report of that day's proceedings. Brief as it is, however, it will serve to give our readers some idea of the topics and course of the debate. They will be pretty generally surprised at some of the disclosures made; and not least, that, when the most suspicious amongst us never dreamt of it, we should have been debating taking steps which, as is proved by the very military appropriations now required from Congress by the Executive, it has been anticipated might lead to difficulties, if not hostilities, between the United States and Mexico.

"It is satisfactory, however, meanwhile to learn that the arguments in favor of assembling troops on the Sabine, drawn from the employment of Indians by the Mexicans against the Texans, and from the near approach of the Mexican troops to the border, are deprived of all the force to which they were entitled by the positive contradiction of the reports to that effect which have been lately circulated."

After the debate was over, the question on ordering the bill to a third reading was put, and decided by Yeas 145, Nays 3. The Bill was then read a third time, and passed.

Monday, May 9.

SENATE.—The Army Appropriation Bill was, after being amended, read a third time and passed.

The Civil and Diplomatic Service Bill was received from the House, the amendments of that body agreed to, and the Bill passed.

The Bill for the relief of the Corporate Cities of the District of Columbia was received from the House, and referred to the Com. on the D. of Columbia, for the purpose of examining the amendments made to it by the House.

The Bill from the House, making appropriations for the defence of the Western frontier, was read twice, and referred to the Com. on Finance.

Texas.—Mr. Preston rose to present a memorial from a number of citizens assembled in Philadelphia on the affairs of Texas, and recommending an early recognition of the independence of that country.

Mr. Preston accompanied the presentation of the petition with some remarks, which produced a debate of much animation and interest, in which Messrs. Preston, Webster, Walker, Brown, Moore, Buchanan, and Shepley, participated.

Mr. Buchanan presented other memorials in the course of his remarks; and the whole were laid on the table, and ordered to be printed.

HOUSE.—The Joint Resolution authorizing the Secretary of War to receive additional testimony in relation to the claims of certain States upon the United States, for services, expenses, and disbursements, during the late war with Great Britain, was read a third time, and passed.

The House spent the rest of the day in debating the Army and Navy Appropriation Bills, as they had been amended by the Senate, and the amendments to each were concurred in.

Tuesday, May 10.

SENATE.—United States and France.—The following Message was received from the President of the United States and read:

"WASHINGTON, May 10, 1836.

"To the Senate and House of Representatives:—Information has been received at the Treasury Department that the four instalments under our treaty with France have been paid to the agent of the United States. In communicating this satisfactory termination of our controversy with France, I feel assured that both Houses of Congress will unite with me in desiring and believing that the anticipations of a restoration of the ancient cordial relations between the two countries, expressed in my former messages on this subject, will be speedily realized. No proper exertion of mine shall be wanting to efface the remembrance of those misconceptions that have temporarily interrupted the accustomed intercourse between them.

ANDREW JACKSON."

Spanish Convention.—This bill had been reported to the Committee on Foreign Relations, with an amendment striking out the whole of the bill from the House, and inserting the Senate bill, which provides that the funds received under the treaty referred to should be distributed by the Attorney-General instead of a Board of Commissioners; which amendment, after some explanation by Messrs. Clay, Tallmadge, and White, was agreed to; and the bill ordered to be read a third time.

HOUSE.—Mr. Haynes moved to take up the Joint Resolution fixing the adjournment of Congress on the 23d instant; which motion was decided in the negative, 99 to 87.

Public Lands.—The Senate Bill, to distribute, for a limited time, the Proceeds of the Sales of the Public Lands among the several States, having been read twice—

Mr. Williams, of Kentucky, moved that it be referred to the Committee of the Whole on the state of the Union.

Mr. Carr moved its reference to the Committee on Public Lands.

Mr. Gillett moved that it be referred to the Committee of Ways and Means.

Mr. Williams, of North Carolina, hoped, he said, that the bill would be referred to the Committee of the Whole on the state of the Union. The subject was not new. It had long been before Congress and the nation, and had been fully discussed, and was well understood. It could not, therefore, be necessary to obtain the views of a standing committee on the subject.

Mr. Chambers, of Pennsylvania, took a similar

view, and added that he hoped it was the purpose of the House to act upon this question at the present season. If so, there ought not to be any unnecessary delay in bringing it up for consideration. To refer the bill to a Standing Committee would serve no purpose except to delay the action of the House upon it.

Mr. Grennell, urged as another objection to a reference of the bill to the Committee on Public Lands, that an opinion on the subject had already been formed and expressed by that committee.—Neither that or any other committee could furnish the House with any new lights of information upon the subject.

The debate was further continued by Messrs. Hamer, Reynolds, Granger, Lincoln, and Gillett, the latter of whose remarks were cut off by the arrival of the hour to proceed to the Special Order of the Day.

The House then, in Com. of the Whole, took up the Bill for the better protection of the Western frontier, an amendment to which was agreed to, and the Committee rose and reported the Bill to the House.

The Bill to establish an Arsenal in the State of North Carolina, was considered as in Committee of the Whole, and finally reported to the House.

The Message from the President, in relation to the settlement of our difficulties with France, was received, read, referred to the Com. on Foreign Relations, and ordered to be printed.

The House took up the Bill making appropriations for the Fortifications of the United States for the year 1836, which was debated for some time.

Wednesday, May 11.

SENATE.—Mexico.—Mr. Clay, from the Committee on Foreign Relations, to which was referred the message of the President of the United States, concerning an additional article in the treaty with Mexico, reported a bill to provide for carrying into effect the treaty of limits with the Government of Mexico; which was read, and ordered to a second reading.

Mr. Clay said that the bill was in exact conformity with the former one, and was intended to revive the commission which had expired in consequence of the expiration of the treaty. The Committee on Foreign Relations were desirous that it should pass without delay. There was a peculiar propriety in so passing it, resulting from our existing relations with Mexico. A survey was to be made; and we were endeavoring to ascertain, as precisely as possible, the true boundary line between that country and our own. In the mean time the General commanding our forces in that quarter had taken up a position in or near this disputed territory. Existing circumstances were such as to make it absolutely necessary that proper officers should be authorized to carry out the provisions of the treaty, thereby evincing the sincerity of our intentions, and the fidelity with which we adhere to our engagements.

The bill was then read a second time, and was ordered to be engrossed for a third reading.

Mr. Webster, from the Committee on Finance, reported the bill from the House, to provide for the defence of the Western frontier, with an amendment; which was ordered to be printed.

HOUSE.—Public Lands.—The House resumed, as the unfinished business of yesterday, the consideration of the motions pending in relation to the reference of the Bill from the Senate for the Distribution of the Proceeds of the Sales of the Public Lands among the several States.

Mr. Gillett finished his remarks in favor of referring it to the Com. of Ways and Means; and was replied to by Mr. Granger, in favor of sending it to the Com. of the Whole House on the state of the Union.

Mr. Briggs said he understood there were three motions before the House: first, to commit the bill to the Committee of the Whole on the State of the Union; second to the Committee on Public Lands; and third, to the Committee of Ways and Means. He said this was no new subject before Congress; it had been acted upon in one of the other Houses repeatedly for seven years, and there was no necessity therefore for such an investigation as would be required upon a subject with which the House was not already acquainted. Every one knew the general character and merits of the measure, and he was in favor of having the bill committed at once to the Committee of the Whole on the state of the Union. It was sent to either of the Committees of the House, it would have to take its chance among other papers and other business, and nobody could tell when it would be heard from again; now it was in the power of the House, and he hoped they would keep it there, and act upon it. The Committee of Ways and Means could tell, to be sure, how much money was in the Treasury, and how much had been appropriated; they could tell, also, how much it was proposed to appropriate to other purposes; but he was not disposed now to stop and ask those questions; he was not disposed to wait till the Committee of Ways and Means could ascertain how much money they could use upon railroads and canals and public roads—appropriations in high dispute only six months ago, as monstrous monopolies, but now in high favor with that party which wishes to prevent a distribution of the surplus revenue to the People of the country. He would be willing to trust the subject to the vote of the House now, and he hoped they would refer it to a Committee of the Whole, and act upon it at the earliest period which the business of the House would permit.

Mr. Lane took the floor, but the hour of one o'clock having arrived, the special order was announced.

The Fortification Bill was then again taken up, and discussed until the adjournment.

Thursday, May 12.

SENATE.—After the transaction of the usual private morning business, the Senate took up the Bill making appropriations for the erection of Fortifications, the Purchase of Sites, &c., and discussed it until the adjournment.

HOUSE.—The House again refused to take up the Joint Resolution fixing the 23d of May as the day of Adjournment, by a vote of 107 to 82.

Public Land Bill.—The debate was still further continued on the several motions for the reference of this Bill to different Committees of the House. The Fortification Bill was again taken up, and discussed.

Friday, May 13.

SENATE.—There appearing to be no quorum present at the usual hour of meeting of this body, Mr. Grundy moved that the Senate adjourn, which was carried, yeas 14, noes 8.

HOUSE.—The Bill from the Senate, to give effect to Patents for Lands, issued in the name of deceased persons, was passed.

On motion of Mr. E. Whittlesey, the House then proceeded to the Special Order of the Day for Fridays, being Private Bills—a great number of which were finally passed.

[The National Intelligencer, of Saturday the

14th, remarks: "The Races were, yesterday, owing to the combined influence of the fine weather and the competition expected from high-bred animals upon the turf, the great scene of attraction in this city. In consequence, the Senate, not being able to make a quorum, adjourned without doing any business; and the House, which meets at 10 o'clock, was without a quorum after 12 o'clock, but continued to do business, by general consent, as if a quorum were present. We are not sure that this precedent may not grow into practice, and come in time to be common law, though against the Constitution. It was Mr. Whittlesey's day, however; and the House has so much confidence in him that they verily believe they would be willing, if it were asked of them, to do the same by the whole batch of his bills, as our Franklin, when a boy, is said to have wished his father to do, when he begged him, instead of saying grace upon the daily dinner of salted meat, piece by piece, to say grace at once upon the whole barrel of it."

From the National Intelligencer of May 10.

TEXIAN AFFAIRS.

The Texian subject has assumed an aspect entirely new, so far as the Government of the United States is concerned, since the Debate in the House of Representatives on Saturday last, in connection with the Documents which were read on that day.

From these documents, &c. it will be seen that the Executive has undertaken to claim, as being within the limits of the United States, territory over which the Mexican Government has heretofore exercised jurisdiction, including "old Fort Nacogdoches," and has authorized Gen. Gaines, under such interpretation of the rights of the United States, to cross the Sabine and occupy that post. Of this determination on the part of the Executive, communicated to Gen. Gaines by a letter from the War Department, dated the 25th ult., the Secretary of State (Mr. Forsyth) apprized Mr. Gorstian, the Mexican Minister, in a conversation on the 26th of April, assuring him that the measure was "not to be taken as an indication of any hostile feeling, or of a desire to establish a possession or claim not justified by the treaty of limits."

What the Mexican Minister said, if he said any thing, in reply to this communication from the Secretary of State, has not been communicated to Congress. The Executive has left Congress in doubt on the subject, unless it may be inferred, from nothing being said of it, that the Minister had not a word to say in reply to what Mr. Forsyth communicated to him. Such may have been the case. But we doubt it. Be that as it may, however, we should be wanting in our duty to our readers, if we did not warn them, in time, of the imminent danger of our being involved by this measure in a war which cannot be otherwise than disastrous to the whole Western frontier, however fortunate we may be in its prosecution or victorious in its termination. We earnestly hope that the danger may pass away; that the Mexican Government will be satisfied with the assurances of the Secretary of State, that the military occupation of the Mexican territory is from an amicable motive, and will continue no longer than until the line is run and the true limits marked—notwithstanding the demonstrable proposition that no line can be run, according to the terms of our Treaty with Mexico, can include the said old Fort Nacogdoches. We hope that the Government of Mexico will avoid coming into a collision with the United States, which, however it be brought about, would be at least as disastrous to Mexico on her maritime border, as it would be to the United States on her Western frontier, and would be justly a subject of reproach, in the community of nations, to both countries.

We have assumed it, above, as demonstrable, that no line can be run under the Treaty that include the old post of Nacogdoches, which Gen. Gaines has been instructed to occupy. We will now state the grounds of this assumption on our part.

But, first, let us state, without reference to our Treaties with Spain and Mexico, the material points in this question of boundary:

1. The sources of the Sabine, properly so called, rise near the South side of Red river, and head over all the sources of the river Neches.

2. The Sabine, where intersected by latitude 32 degrees, is a river, which is, at high water, navigable by proges and small batteaux. The line of latitude 32, extended westward, would strike only the head-creeks of the Neches.

3. Nacogdoches, situated some fifty miles west of the Sabine, is an ancient Spanish establishment, made long previous to the French colonization of Louisiana. The land-grants of all the country from the main river Sabine westward, and some of them east of that stream, emanated from the Land Office in San Antonio de Bexar (of which the Alamo was the citadel). Consequently all the country west of the Sabine river has, at all times since the colonization of Louisiana by France, and of Texas by the Spaniards, been regarded, up to the present time, as part of the Spanish (now Mexican) Territory.

So clear, indeed, is this question, that no person, even moderately acquainted with the geography of the countries on both sides of the Sabine, would any more regard the Neches as the main stream of the Sabine, than they would the Shenandoah as the main stream of the Potomac, or the Juniata as that of the Susquehanna.

Let us now refer to the solemn recognition by Treaty of the boundary of Texas, whilst that province, with all the other States of Mexico, was still considered a province of Spain. The Treaty with Spain (Feb. 22, 1819) recognizes the boundary between the two countries, west of the Mississippi, as follows: "It shall begin on the Gulf of Mexico, at the mouth of the river Sabine, in the sea, continuing north, along the western bank of the river, to the 32d degree of latitude; thence, by a line due north, to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red river; then following the course of the Rio Roxo westward to the degree of longitude 100 west from London and 23 from Washington; then, crossing the said Red river, and running thence, by a line due north, to the river Arkansas; thence, following the course of the southern bank of the Arkansas to its source, in latitude 42 north; and thence, by that parallel of latitude, to the South sea. The whole being as laid down in Melish's map of the United States, as published at Philadelphia, improved to the 1st of January, 1815."

The same treaty further stipulates, in reference to the boundary thus recognized, as follows: "The two high contracting parties agree to code and renounce all their rights, claims and pretensions to the territories described by the said line; that is to say, the United States hereby cede to his Catholic Majesty, and renounce forever, all their rights, claims, and pretensions to the territories lying west and south of the above described line, &c."